

REMARKS

This Amendment follows a Response to the Final Office, filed April 22, 2010 (hereinafter, "Response"), an Advisory Action, mailed May 4, 2010, and Interviews on May 21, 2010 and July 15, 2010, the substance of which is set forth below. Claims 1-36 are pending in this application. Claims 5, 8, 25, and 28-33 are canceled without prejudice or disclaimer herein. Claims 1, 2, and 34-36 are amended herein, support for which can be found in the published application at, for example, paragraphs [0018]-[0020]. Applicants submit that no new matter is introduced.

Statement on Substance of Interview

A first Interview was conducted telephonically on May 21, 2010, between Examiner Jacqueline Woznicki, Supervisor Davis Isabella and the undersigned. Initially, the objection to the claims and rejection under 35 U.S.C. § 112, second paragraph were discussed, resulting in acceptance of the claim language. Next, the claimed invention was described, including the feature of electrically-conductive closed loops. Examples from the specification were discussed, including closed loops of the equal area lobes located on opposite sides of the implant, and the cited art was distinguished. The first Interview concluded with a suggestion by the Examiner to add structure to independent claim 1. The second Interview was conducted telephonically on June 15, 2010, between Examiner Woznicki and the undersigned. Structural features for the claimed implant were proposed and discussed. The claim amendments presented herein are believed to place the case in condition for allowance, based on the Interviews.

The outstanding objection to the drawings, objection to the claims, and rejection under 35 U.S.C. § 112, second paragraph, were discussed in detail in the Response, and further in the first Interview, as set forth above. The comments from the Response are incorporated by reference herein. In view thereof, Applicants respectfully request favorable reconsideration and withdrawal of the objections and rejection under 35 U.S.C. § 112, second paragraph.

The rejections under 35 U.S.C. § 102 and § 103 were traversed and discussed in the Response and first Interview. The comments from the Response are incorporated by reference

herein. In view thereof, Applicants respectfully request favorable reconsideration and withdrawal of the rejections under 35 U.S.C. § 102 and § 103.

Applicants believe that all outstanding issues have been overcome, and that therefore the pending application is in condition for allowance.

This response is filed with a RCE and fee of \$810, as well as a one-month extension of time fee of \$130. If further fees are due, please charge our Deposit Account No. 50-2191, under Order No. 101671.0058P from which the undersigned is authorized to draw.

Dated: June 17, 2010

Respectfully submitted,

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